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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 18th day of June 1998

BEFORE

THE HON'BLE MR.JUSTICE B.S.SREENIVASA RAO

WRIT PETITION NUMBER 34745 OF 1996

Muniswamy Reddy
s/o Munivenkata Reddy
aged 65 years
Kempapura village
Kyasemballi Hobli
Bangarpet Taluk
Kolar District

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.. Petitioner

(By Sri C.M.Raghuram, Adv.)

VS

1. State of Karnataka
by its Secretary to the
Department of Revenue
Vidhana Soudha, Bangalore-1
2. Tahsildar
Bangarpet Taluk
Bangarpet
3. Giriyappa s/o Bedara Muniyanna
Kempapura village, Bangarpet Tq.
Kolar District.
4. Muniyappa, s/o not known
Major, Kalavalahalli
Bangarpet Taluk, Kolar Dist.
5. Venkatappa, Kalavalahalli
Bangarpet Taluk, Kolar Dist.
6. K.M.Muniyappa Kalavalahalli
Bangarpet Taluk, Kolar Dist. .. Respondents

(By Sri Halegappa Hegroor, HCGP, for R-1 & R2)

This writ petition is filed under Articles 226 and 227 of the Constitution praying to declare that the order of regrant dt.27-11-21995 made in favour of R-3 to R6 will enure to the benefit of the petitioner and direct the respondent to impose 15 times land revenue and regularise sale in respect of Sy.No.154. *BSP*

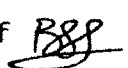
This Writ Petition coming on for hearing this day the Court made the following :-

O R D E R

Government Pleader for R-1 and R-2 produces LCR.

Heard the Counsel for the Petitioner and the Government Pleader for Respondents 1 and 2.

This Writ Petition is filed by the petitioner under articles 226 and 227 of the Constitution of India to declare that the order of regrant dated 27-11-1995 made in favour of Respondents 3 to 6 by the second respondent will enure to the benefit of the writ petitioner and to direct the second respondent to impose 15 times of land revenue and regularise sale in respect of Sy.No.154 measuring 4 acres 12 guntas of Kempapura Village, Bangarpet Taluk, Kolar District.

2. The facts of the case are that the land bearing Sy.No.154 measuring 4 acres 12 guntas of Kempapura Village, Bangarpet Taluk is an inam land attached to the Village Office of Talawari. The said land belongs to the family of 

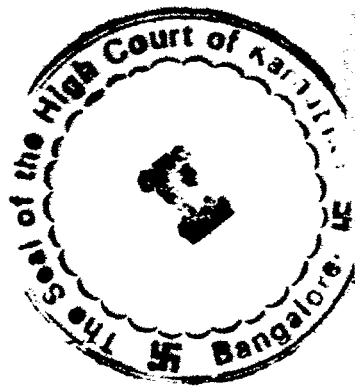
respondents 4 and 5. The petitioner as per the registered sale deed dated 28-5-1975 purchased the said land from the respondents 3 to 6 and he is in actual possession and cultivation of the said land. The Karnataka Village Officers Abolition Amendment Act came into force on 1-2-1963 and the sale in favour of the petitioner is before 6-7-1978. The land was regranted in favour of the respondents 3 to 6 on 27-11-1995. Annex.A is the copy of the said order. The said order of regrant made in favour of the respondents 3 to 6 enure to the benefit of the petitioner and the petitioner is entitled to continue as lawful owner in possession. The Counsel for the Petitioner has relied on ILR 1994 KAR.159 in SYED BASHIR AHMAD VS. STATE OF KARNATAKA.

3. In view of the observations made in the above decision the Writ Petition is disposed of directing the second respondent to consider the prayer of the petitioner to declare the regrant dated 27-11-1995 made in favour of Respondents 3 to 6 will enure to the benefit of the Writ Petitioner and to collect the amount 15 times of the land revenue in accordance with law and the

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matter is remitted back to the second respondent to dispose of the prayer of the Writ Petitioner in consonance with the observations made in the decision reported in ILR 1994 KAR.159.



Sd/-
JUDGE

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